

AN ORDINANCE **97897**

RATIFYING A CONTRACT WITH THE TRANE COMPANY FOR THE EMERGENCY PURCHASE AND INSTALLATION OF A 125 TON CHILLER FOR THE CITY OF SAN ANTONIO PARKS & RECREATION DEPARTMENT FOR THE FARMERS MARKET BUILDING WITHIN THE MARKET SQUARE FACILITY FOR A TOTAL AMOUNT OF \$49,609.00.

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WHEREAS, the 125 ton commercial heating, ventilating and air conditioning (HVAC) unit located at the Farmers Market within the Market Square Facility has experienced catastrophic failure; and

WHEREAS, an informal proposal was solicited for an emergency purchase of the new equipment; and

WHEREAS, a proposal was submitted by The Trane Company to provide the City of San Antonio Parks & Recreation Department with the equipment needed for a total amount of \$49,609.00; and

WHEREAS, this contract provides the labor, materials and installation of a 125 ton helical rotary chiller at the Farmers Market located within the Market Square Facility, includes a five-year manufacturer warranty for components and a one-year labor warranty, and provides for the removal and disposal of the unserviceable chiller; and

WHEREAS, it is now necessary to ratify the goods and services described in the contract that were already provided due to the emergency nature of this procurement; and

WHEREAS, the Local Government Code §252.022 (a)(3) provides for procurements that are necessary because of unforeseen damage to public machinery, equipment or other property, and may be handled without the formal bid process; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

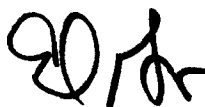
SECTION 1. The offer of the Trane Company to provide the City of San Antonio Parks & Recreation Department with a 125 ton chiller for a total amount of \$49,609.00 is hereby accepted, and the provision of goods and services pursuant to that offer are hereby ratified. Attached hereto and incorporated herein for all purposes as Attachment A are the proposal and bid tabulation sheet, and the certificate of exemption from competitive bid or proposal requirements.

SECTION 2. The amount of \$49,609.00 is appropriated in Fund 62-016023, Market Square Improvements Trust Fund, in Index Code 472886, entitled Mach & Equip-Other, and is authorized to be encumbered and made payable to The Trane Company in connection with installation of a 125 ton chiller for the City of San Antonio Parks & Recreation Department Market Square.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This ordinance shall take effect ten days from the date of passage.

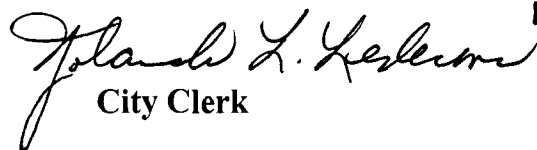
PASSED AND APPROVED this 7th day of August, 2003.



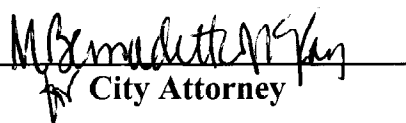
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney